

## **2. REMARKS / DISCUSSION OF ISSUES**

Upon entry of the present amendment, claims 1-6 are pending. Claim 1 is the independent claim.

Unless discussed to the contrary below, claims 1-6 have been amended for non-statutory reasons to conform to current U.S. patent practice, including removing of multiple dependencies and/or reference numerals, correcting one or more informalities, and/or replacing European-style claim phraseology with U.S.-style claim language, without addressing any issues of patentability. Claim 9 has been cancelled without prejudice or disclaimer of its subject matter.

### **Objection to the Drawings**

Applicants respectfully submit that the objection to the drawings is improper. Notably, the Office Action asserts that the variation in the thickness of the bulb region in relation to the region outside the bulb region must be shown. Applicants respectfully submit that the variation of the thicknesses is shown via reference characters  $d_1$  and  $d_2$  in Fig. 1, which are described as have a range of thicknesses in a ratio. Applicants respectfully submit that suitable support for all features in the drawings and, moreover, no basis of support has been provided that the actual dimensional thickness variation is required of the drawings. In furtherance to this position, it is customary for patent drawings not to be to scale.

For at least the reasons set forth above, Applicants respectfully submit that the objection to the drawings is improper and should be withdrawn.

### **Rejections under 35 U.S.C. § 112, ¶1**

The rejections under this section of the Code are believed to be moot in view of the amendments to the claims. Withdrawal of this rejection is respectfully requested.

### **Rejections under 35 U.S.C. § 102(b) or 35 U.S.C. § 103(a)**

Claims 1-6 and 9 were rejected under 35 U.S.C. § 102(b) or in the alternative under 35 U.S.C. § 103(a) in view of *Van Der Leeuw, et al.* For at least the reasons set forth below, Applicants respectfully submit that all claims are patentable over the applied art.

A rejection for anticipation or for obviousness requires that each and every element of the claimed invention be disclosed in the applied art. Applicants respectfully submit that the applied art fails to disclose at least one feature of claims 1-6.

1. Claim 1 recites:

*A high-pressure discharge lamp comprising:*

*an outer envelope in which a discharge vessel is arranged around a longitudinal axis,*

*the discharge vessel enclosing, in a gastight manner, a discharge space provided with an ionizable filling,*

*the discharge vessel having a first and a second mutually opposed neck-shaped portion through which a first and a second current-supply conductor, respectively, extend to a pair of electrodes arranged in the discharge space,*

*the outer envelope having a bulb-shaped portion adjacent the discharge space,*

*the bulb-shaped portion having a wall thickness  $d_1$ ,*

*the remainder of the outer envelope having a wall thickness  $d_2$ , wherein the high-pressure discharge lamp **does not comprise a shield for containing a burst of the discharge vessel.***

As described in the filed application, at page 7, lines 22-27, the high pressure discharge lamp beneficially does not require a shield or sleeve containing a burst of the discharge vessel. The elimination of this component simplifies manufacture of the discharge lamp and the cost.

By contrast, *Van Der Leeuw, et al.* does disclose a containment shield 20 that surrounds the discharge vessel in case the vessel explodes. (Kindly refer to column 5, lines 46-56 for further details.

Accordingly, Applicants respectfully submit that the applied art fails to disclose at least the noted features of claim 1. As such, a *prima facie* case of anticipation or, in the alternative, a *prima facie* case of obviousness cannot be established based on *Van Der Leeuw, et al.*, and the claim 1 is patentable over the applied art.

**General Comments on Rejections of Dependent Claims**

Since each of the dependent claims depends from a base claim that is believed to be in condition for allowance, Applicant believes that it is unnecessary at this time to argue the allowability of each of the dependent claims individually. Applicant does not, however, necessarily concur with the interpretation of any dependent claim as set forth in the Office Action, nor do Applicant concurs that the basis for the rejection of any dependent claim is proper. Therefore, Applicant reserves the right to specifically address the patentability of the dependent claims in the future, if deemed necessary.

**Conclusion**

In view the foregoing, applicant(s) respectfully request(s) that the Examiner withdraw the objection(s) and/or rejection(s) of record, allow all the pending claims, and find the application in condition for allowance.

If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted on behalf of:  
Phillips Electronics North America Corp.

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Date: June 16, 2009

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